

Remarks

Claims 27-34 have been canceled. Additionally, Applicants have reviewed the Action dated Nov. 11, 2003, and by invitation from the Examiner (page 6, last sentence), wish to enter the following explanation concerning the interpretation in the Action of the phrase "wherein each blade does not move relative to the other blades":

From the perspective of one of ordinary skill in the engineering arts, a post, by function, is an immovable object, unless otherwise described. Even in lay terms, post is defined (Merriam-Webster Dictionary) as, "a piece fixed firmly in an upright position especially as a stay or support." The specification and Fig. 1 describe and show a plurality of posts 12 on frame 8. The specification specifically describes frame 8, referring to Fig. 1 (pg 3, lines 20-23; underline added for emphasis):

"The shutter of frame 8 supports a plurality of shutter blades (not shown) which can intercept radiation (i.e. energy beam) as the frame rotates about the center axis x where the frame is attached to the shaft coupling 9 which functions as a pivot."

The section continues to describe the blades in relation to the frame (page 3, lines 24-26; underline added for emphasis):

"The shutter frame or wheel includes two circular ring-like members 10,11 that are rigidly held together by a plurality of posts 12 onto which shutter blades are attached."

Further, as previously noted, the method of attachment of the blades to immovable posts using epoxy leaves not doubt as to the mechanically fixed nature of the blades to the frame.

Therefore, Applicants respectfully assert that the phrase, "wherein each blade does not move relative to the other blades" is appropriately supported in the written portion of the specification and the drawings. Applicants suggest that in absence of the phrase "relative to one another" that the position asserted in the Action concerning the phrase "the plurality of blades rotates...", where rotation is movement may be a consideration. However, Applicants have referred to the sections in the specification where it is recited that the blades are fixed to a frame, and it is the frame that rotates. Since the blades are fixed to the frame, they move as the frame moves in the rotational manner described. During that rotation, since the blades are fixed to the frame, they do not move relative to one another. At the very least, this adheres to the doctrine of inherent function, as stated in MPEP 2163.07(a).

Accordingly, Applicants after reviewing the final response and entering the above remarks view the Action allowing claims 1-22 and 23-26 favorably, and submit that this application is now in position for allowance.

Respectfully submitted,

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